

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GIOVANNI MCDOWELL,

Plaintiff,

v.

STEVE SMITH, et al.,

Defendants.

No. 1:24-cv-00500-JLT-SAB (PC)

ORDER FOR ATTORNEY GENERAL'S
OFFICE TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED
FOR FAILING TO TIMELY FILE WAIVER
OF SERVICE OF PROCESS

(ECF No. 26)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

This action is proceeding against Defendants Smith, Storey, Davis, and Cobian for deliberate indifference Plaintiff's safety.

On October 7, 2024 and November 6, 2024, the Court granted Defendant Cobian an extension of time to file a waiver of service of process, which was due on or before December 9, 2024.¹ (ECF Nos. 22, 24, 25, 26.)

On November 8, 2024, Defendants Smith, Storey, and Davis filed a timely answer to the complaint. (ECF No. 27.)

¹ The Attorney General's Office appeared by way of special appearance on behalf of Defendant Cobian. (ECF Nos. 22, 25.)

1 To date, a waiver of service of process or response to the operative complaint has not been
2 filed by Defendant Cobian and the time to do so has passed. (ECF No. 26.)

3 Accordingly, it is HEREBY ORDERED that within **fourteen (14)** days the Attorney
4 General's Office shall show cause why sanctions should not be imposed for failure to comply
5 with the Court's November 6, 2024, order. The Clerk of Court shall serve a copy of this order by
6 email on Monica Anderson, Senior Assistant Attorney General.

7
8 IT IS SO ORDERED.

9 Dated: **December 12, 2024**



STANLEY A. BOONE
United States Magistrate Judge